

ALSTON & BIRD

90 Park Avenue
New York, NY 10016
212-210-9400 | Fax: 212-210-9444

Karl Geercken

Direct Dial: 212-210-9471

Email: karl.geercken@alston.com

February 5, 2021

VIA ECF

Hon. Douglas E. Arpert, U.S.M.J.
United States District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: *IFMK Realty II, LLC v. Atlantic Property Development, LLC, et al.*
Civil Action No. 3:20-cv-6989-MAS-DEA

Dear Judge Arpert:

We represent Plaintiff IFMK Realty II, LLC (“IFMK”) in the above-referenced action. We write to follow up on our letter, dated December 8, 2020, requesting modest extensions of the parties’ deadlines to complete fact discovery and to move to amend pleadings or add new parties. (D.E. No. 20). That request remains pending.

In particular, we write to renew our request to extend these deadlines in light of a recent development in Defendant Felix Nihamin’s pending bankruptcy proceeding. As discussed during the parties’ telephonic status conference on December 7, 2020, Nihamin filed a voluntary chapter 13 bankruptcy in the United States Bankruptcy Court for the District of New Jersey on April 24, 2019, captioned *In re Felix Nihamin*, Case No. 19-18309 (SLM). On January 20, 2021, IFMK commenced an adversary proceeding in Nihamin’s bankruptcy proceeding, alleging, among other things, that Nihamin’s debts to IFMK are non-dischargeable under several provisions of the Bankruptcy Code. *See IFMK Realty II, LLC v. Felix Nihamin*, Adv. Pro. No.: 21-1021 (SLM).

Given this development, IFMK expects that litigation in this action against Nihamin will soon resume and respectfully requests that Your Honor extend the parties’ deadlines to complete fact discovery and amend pleadings or add new parties, as set forth below:

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Event	Current Deadline	Proposed Deadline
Deadline to Move to Amend Pleadings or Add New Parties	December 15, 2020 ¹	30 days after the Court rules on IFMK's pending motion for default judgment against Defendants Atlantic Property Development, LLC and Francis Ferrari (D.E. No. 15)
End of Fact Discovery	February 10, 2021	April 30, 2021

If these deadline extensions are acceptable, we respectfully request that Your Honor So Order this letter and enter it on the docket.

We thank the Court for its attention to this matter, and we are available if Your Honor or Your Honor's staff have any questions or need anything further.

Respectfully submitted,

/s/ Karl Geercken

Karl Geercken

cc: All Counsel of Record (via ECF)

¹ IFMK acknowledges that the deadline to move to amend pleadings or add new parties has passed; however, given that this action has been effectively stayed against Nihamin, the only other party who has appeared in this case, since November 19, 2020 due to his pending bankruptcy, and that IFMK's motion for default judgment against Defendants Atlantic Property Development, LLC and Francis Ferrari has been pending since October 6, 2020, IFMK respectfully submits that an extension of this deadline will not result in any prejudice and would instead allow IFMK to seek a full resolution of this matter on the merits.